

**REMARKS**

**I. Formal Matters.**

Claims 1-7 are currently pending in this application. As an initial matter, Applicant thanks the Examiner for accepting the formal drawings as filed with the application papers on January 30, 2002.

**II. Claims.**

The Examiner rejects claims 1-7 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Martin, Jr., et al.* (U.S. Patent No. 6,610,105) ("*Martin*") in view of *Fujii* (U.S. Patent No. 6,804,537). Applicant respectfully traverses this rejection.

Claim 4. The Examiner acknowledges that *Martin does not* specifically "disclose a plurality of mobile stations, each of which communicates with said information terminal unit." (OA page 7). Addressing the claim subject matter cited above, the Examiner cites "mobile station 108 communicating with terminal unit 106 of Fig. 1A" in *Martin* (OA page 7).

However, claim 4 actually requires, "...said plurality of mobile stations are capable of *participating simultaneously* in communication with *a portable* information terminal unit."

Regarding elements 106 and 108 in *Martin*, it is unclear if the Examiner relies on element 106 or 108 to provide the *portable information terminal unit* required by claim 4, therefore, we will address each element in turn. As to element 108, *Martin* teaches that element 108 represents an antenna and a base station comprising the operation and maintenance center performing switching and account services (Fig. 1A; col. 5, lines 27-40). Therein element 108 fails to

provide a “*portable* information terminal unit” and rather discloses a large land based antenna and base station.

Assuming that the Examiner asserts element 106 of Fig. 1A in *Martin* discloses the *portable information terminal unit* required by claim 4, Applicant respectfully disagrees. Turning to *Martin* at Figs. 1A and 2A and at col. 5 lines 18-20, *Martin* teaches that element 106 is a mobile device. The Examiner further asserts that multiple mobile stations are connected to a terminal unit and are interchangeable, such that a mobile station can be substituted for a terminal unit and in turn communicate with remaining multiple mobile stations or mobile devices. (OA page 8). However, *Martin* fails to disclose wherein the terminal unit 108 can be interchanged for a mobile device 106 and further fails to disclose particularly that multiple mobile devices 106<sub>1-n</sub> can communicate simultaneously with a one mobile device 106<sub>1</sub>.

Rather, *Martin* teaches that multiple mobile devices are serviced by airnet 102 (col. 5, lines 19-21). Each mobile device 106 is capable of communicating with terminal unit/antenna 108 wirelessly via airnet 102 (col. 5, lines 24-26). *Martin* teaches that mobile devices 106 1-n access database/host server, 130/128 (col. 7, lines 33-64) after authentication (col. 6, lines 40-65). Database 130 hosts a plurality of user accounts. *Martin* teaches away from a mobile device functioning as a portable information terminal in communication, simultaneously, with multiple mobile devices, disclosing that “mobile devices have very limited computing resources . . .” (col. 7, lines 1-2), and communication *with the information database 130* requires authentication (col. 6, lines 60-65). *Martin* teaches communication between a mobile device and a database or server (col. 6, line 38 to col. 7, line 33). There is no portability taught as being associated with a database or a server (*Martin*, col. 5, line 52 to col. 6, line 65; Figs. 1A to 2A). Further, *Martin*

teaches that a PC 110 can be used to enable frequent transactions between a user of a mobile device and servers 130 or 132. Neither PC 110, servers 130 and 132, nor mobile devices 106 are taught to by *Martin* as providing a portable information terminal capable of communication with multiple mobile devices.

And finally, the Examiner asserts that *Martin* teaches mobile stations are capable of participating simultaneously in communication with *a portable information terminal unit*, citing col. 6, lines 40-45. Turning to *Martin* at col. 6, lines 40-45, *Martin* teaches that the "...airnet 102 communicates simultaneously with a plurality of mobile devices 106" (shown in Figs. 1A and 2A). Airnet 102 is defined as a wireless network (col. 4, lines 57-58). One of ordinary skill in the art would readily recognize that a wireless network is not a portable information terminal. FIGs. 1A and 1B and col. 6, lines 40-45 merely and only disclose an ordinary multiple access system, such as CDMA, TDMA and FDMA systems, in which mobile stations are connected to a wireless network (*Martin*).

Likewise, Terminal unit (base station) 108 fails to disclose a *portable* information terminal. And as discussed above, *Martin* fails to teach or suggest wherein a one mobile device is a portable information terminal. Therefore, *Martin* fails to teach or suggest a plurality of mobile stations is capable of *participating simultaneously* in communication with *a portable* information terminal unit. Secondary reference *Fujii* also fails to teach or suggest this required element. *Martin* and *Fujii*, alone or in combination, fail to teach or suggest multiple mobile stations capable of simultaneous communication with a portable information terminal. At least for this deficiency, the rejection of claim 4 as being unpatentable over *Martin* in view of *Fujii* under 35 U.S.C. §103(a), should be withdrawn.

Claims 1, 2, 5, 6 and 7 require the subject matter asserted as distinguishable in the traversal of the rejection of claim 4, above. Applicants therefore assert an analogous argument in traversal of the rejection of claims 1, 2, 5, 6 and 7. Therefore, at least for this deficiency, the rejection of claims 1, 2, 5, 6 and 7 as being unpatentable over *Martin* in view of *Fujii* under 35 U.S.C. §103(a), should be withdrawn.

Claim 3 requires a first mobile station, capable of participating simultaneously with at least a second mobile station, in communication with a portable information terminal. As discussed above, *Martin* and *Fujii* fail to teach or suggest the capability of more than one mobile device to simultaneously communicate with a portable information terminal. An analogous argument is, therefore, asserted in traversal of the rejection of claim 3. Therein, at least for this deficiency the rejection of claim 3 as being unpatentable over *Martin* in view of *Fujii* under 35 U.S.C. §103(a) should be withdrawn.

In view of the preceding remarks, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue that the Examiner feels may be best resolved through a personal or telephonic interview, she is kindly requested to contact the undersigned at the local telephone number listed below.

REQUEST FOR RECONSIDERATION  
APPLN. NO. 10/058,805

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The USPTO is directed and authorized to charge all required fees (except the Issue/Publication Fees) to our Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

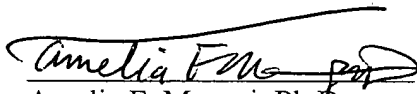
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**23373**

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